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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 JONTEE LAMAR BOYAKINS

10 Petitioner,

11 vs.

12 WARDEN BRIAN WILLIAMS, et al.,

13 Respondents.
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Case No. 2:12-CV-00549-JCM-(PAL)

AMENDED ORDER

15 Jontee Lamar Boyakins, a Nevada prisoner, has submitted an application to proceed in forma
16 pauperis (ECF #1), as well as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254
17 (ECF #s 1-1 and 2 pp. 2-44).

18 Petitioner's application to proceed in forma pauperis (ECF #1) is granted. The habeas
19 petition shall be filed and docketed, and it shall be served upon the respondents. The clerk shall
20 detach pages 2-44 of the document filed at #2, attach it to the beginning of the habeas petition at
21 ECF #1-1 and file it as one complete habeas petition.

22 A petition for federal habeas corpus should include all claims for relief of which petitioner is
23 aware. If petitioner fails to include such a claim in his petition, he may be forever barred from
24 seeking federal habeas relief upon that claim. See 28 U.S.C. §2254(b) (successive petitions). If
25 petitioner is aware of any claim not included in his petition, he should notify the court of that as
26 soon as possible, perhaps by means of a motion to amend his petition to add the claim.

27 IT IS THEREFORE ORDERED that petitioner's application to proceed in forma pauperis
28 (ECF #1) is **GRANTED**.

1 IT IS FURTHER ORDERED that petitioner's motion for leave to file extra papers (ECF #2)
2 is GRANTED.

3 IT IS FURTHER ORDERED that the clerk shall file the petition (ECF #1-1) and petitioner's
4 extra papers (ECF #2, pp. 2-44) together and combined as one complete habeas petition.

5 IT IS FURTHER ORDERED that the clerk shall add Catherine Cortez Masto, Attorney
6 General for the State of Nevada, as counsel for respondents.

7 IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a
8 copy of the habeas petition (ECF #1-1 and #2, pp. 2-44, as set forth above in this order).

9 IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from entry of
10 this order within which to answer, or otherwise respond to, the petition. In their answer or other
11 response, respondents shall address any claims presented by petitioner in his petition as well as any
12 claims presented by petitioner in any statement of additional claims. Respondents shall raise all
13 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
14 procedural default. Successive motions to dismiss will not be entertained. If an answer is filed,
15 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in
16 the United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have
17 forty-five (45) days from the date of service of the answer to file a reply.

18 IT IS FURTHER ORDERED that, henceforth, petitioner shall serve upon the attorney
19 general of the State of Nevada a copy of every pleading, motion, or other document he submits for
20 consideration by the court. Petitioner shall include with the original paper submitted for filing a
21 certificate stating the date that a true and correct copy of the document was mailed to the attorney
22 general. The court may disregard any paper that does not include a certificate of service. After
23 respondents appear in this action, petitioner shall make such service upon the particular deputy
24 attorney general assigned to the case.

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1 IT IS FURTHER ORDERED that any state court record exhibits filed by respondents herein
2 shall be filed with a separate index of exhibits identifying the exhibits by number or letter. The
3 CM/ECF attachments that are filed further shall be identified by the number or numbers (or letter or
4 letters) of the exhibits in the attachment. The hard copy of any additional state court record exhibits
5 shall be forwarded – for this case – to the staff attorneys in Reno.

6 DATED July 5, 2012.

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9 JAMES C. MAHAN
United States District Judge